

## **DETAILED ACTION**

### ***Notice to Applicant***

[1] This communication is in response to the amendment filed 6 March 2008. It is noted that Examiner's final rejection of claims 1-11, 13-18, and 20-22 has been reviewed by the Board of Patent Appeals and Interferences (BPAI) under 35 U.S.C. 134. As per the BPAI's Decision of 16 January 2008, the BPAI reversed Examiner's rejection of claims 1-11 and 13-15 as unpatentable over Borghesi and DeFrancesco. Additionally, the BPAI rejected claims 16-18 and 20-22 under 35 U.S.C. 101 as not being directed to statutory subject matter. As per Applicant's response filed 6 March 2008, claims 16-27 are cancelled. Claims 1-11 and 13-15 are pending.

### ***Allowable Subject Matter***

[2] Claims 1-11 and 13-15 are allowed.

[3] Claims 16-27 are cancelled.

### **REASONS FOR ALLOWANCE**

[4] The following is an examiner's statement of reasons for allowance:

#### **Claim 1**

The prior art of record fails to disclose, teach, or suggest a system comprising an insurance claim server performing the function of estimating the value of an insurance claim as a function of insurance claim assessment data.

The most closely applicable prior art of record is referred to in the Office Action mailed 18 June 2006 as Borghesi (United States Patent # 5,950,169). Borghesi discloses a system for processing automobile insurance claims in order to automate the claim process. Borghesi discloses the creation of a single datafile containing data on the insured, on the claim, on satisfying the claims, and an event log that tracks all action taken on the file. The system is implemented in a computer network environment which includes computers at the home office, claims office, auditor, appraisers, and repair facility which are in communication via a communication server. However, any calculations performed using the disclosed data are processed via the remote computers and the communications server functions merely to transmit data. Accordingly, Borghesi fails to disclose, teach, or reasonably suggest an insurance claim processing server that performs the function of estimating the value of an insurance claim as a function of insurance claim assessment data.

Claim 9

The prior art of record fails to disclose, teach, or suggest a method comprising executing insurance claim processing steps on the insurance claim processing server to estimate a value of an insurance claim as a function of insurance claim assessment data.

Claim 9 is allowable over the prior art of record for reasons consistent with those identified with respect to claim 1.

Claims 2-8, 10-11, and 13-15

Claims 2-8, 10-11, and 13-15 all depend from allowable claims 1 and 9. Claims 2-8, 10-11, and 13-15 are allowable for reasons consistent with those identified with respect to claims 1 and 9.

[5] Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

[6] Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert D. Rines whose telephone number is 571-272-5585. The examiner can normally be reached on 8:30am - 5:00pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 571-272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. DAVID RINES/  
Examiner, Art Unit 3626  
4/14/2008

/C Luke Gilligan/  
Supervisory Patent Examiner, Art Unit 3626